

**REMARKS/ARGUMENTS****Specification**

Paragraphs [0039] and [0046] of the specification are amended. It is believed that no new subject matter is added to the specification in the amended paragraphs.

**Drawings**

The Office Action indicates that the submitted drawings fail to comply with 37 C.F.R. 1.84(p)(5) because they do not indicate the appropriate reference signs mentioned in the description. In particular, the drawings are objected to due to the reference to orifice passage 47 in the specification and reference character 84 in figures 1 and 4.

With respect to orifice passage 47, the reference sign "47" on page 16, line 19 of the specification is corrected to denote orifice passage 74. The objected inconsistency between the specification and the drawings are duly corrected, so that no correction is needed to the drawings. Reference character 84 is described on page 16, line 23, of the specification, "through a communication hole 84 formed through the partition member 34. The applicant submits that the drawings are correct as submitted and no modifications to the drawings are necessary.

**Claims**

Claims 1-9 are currently pending in this application. Claims 1-3 were selected for prosecution in response to a restriction requirement filed February 1, 2005. Claims 8-9 are newly added in this Office Action response. Claims 2-3 are objected to for informalities. Claims 1 and 2 are rejected under 35 U.S.C. § 102(b) as being anticipated by Kato (U.S. Pat. 6,523,813) ("Kato"). Claim 3 is rejected under 35 U.S.C. § 103(a) for obviousness over Kato in view of Ide et al. (U.S. Pat. 5,217,211) ("Ide").

*Claim Objections*

The office action states that claims 2-3 contain informalities in claim language. The terms "pressure receiving chamber" in claim 2 is replaced with "pressure-receiving chamber," and the term "a outer surface" in claim 3 is replaced with "an outer surface," as suggested by the Examiner in amended claims 2-3.

*Claim Rejections – 35 U.S.C. § 102*

Claims 1 and 2 are rejected under 35 U.S.C. 102 (b) as being anticipated by Kato. Independent claim 1 and its dependents are drawn to a "fluid filled engine mount for an automotive vehicle" comprising several parts, including "a negative pressure conduit of direct connection type, adapted to always introduce negative pressure available from an air intake port of an internal combustion engine to the orifice control member." The Office Action indicates that this portion of claim 1 is anticipated by the external air conduit, working air chamber, vacuum source, and pressure-regulating valve of Kato. (Col. 13, ln. 52 to Col. 14, ln. 8). Kato describes "a pressure regulating valve 110, operable under control of a controller 112 is connected in a portion of the air conduit 106. This pressure regulating valve 110 has two operating positions, namely at atmospheric position for connecting the working air chamber 98 to the atmosphere and a vacuum position for connecting the working air chamber 98 to the vacuum source 108. The pressure regulating valve 110 is alternately switched from the atmospheric position to the vacuum position under the control of the controller 112." (Col 13, ln. 56-65).

The primary distinctions between the claimed invention and the prior art are the absence of the pressure regulating valve and the direct connection between the vacuum source and the working air chamber. Extensive research conducted by the applicant has revealed that the negative pressure value available from the air intake side of the internal combustion engine of an automotive vehicle will vary depending on running conditions of the vehicle. This negative pressure value will be change considerably between the running condition and idling condition of the vehicle. In view of this finding, the applicant has developed the fluid-filled engine mount of the present invention, which is capable of exhibiting desirable damping effect over a wide frequency range by changing its damping characteristics through the direct application of

negative pressure available from the air-intake side of the internal combustion engine. This system provides additional damping capability beyond that of the prior art and operates without the conventionally required switch valve. (See paragraph [0011] of the specification).

The Kato engine mount, as described above, requires the presence of a switch valve 110. Kato only discloses the control of the vibration damping characteristics of the device 10 through the alternate application of vacuum and atmospheric pressure to the working air chamber 98 through the switch valve 110. As shown in Figures 1 and 2 of Kato, switch valve 110 is an essential component of the disclosed engine mount. Although the Office Action indicates that Kato anticipates the present invention during the period of time when switch valve 110 is switched to the vacuum source, the Kato engine mount would not operate if switch valve 110 were left in this position. Rather, proper operation of the Kato engine mount required that switch valve 110 constantly alternate between the vacuum and atmospheric pressure positions. Kato therefore fails to teach the idea of directly applying the negative pressure available from the air intake side to the working air chamber to control the damping characteristics of the engine mount. Kato does not describe or anticipate that the device can be operated by always setting the switch valve 110 to the vacuum source, or a device including a direct connection to the vacuum source.

The present invention eliminates switch valve 110 to make a device that is simple in construction and economical to manufacture. (See para. 0007 and 0008 of the specification). In addition, the fluid-filled engine mount of the present invention is capable of exhibiting desirable damping effect over a wide frequency range, wider than the Kato engine mount. This is achieved by dynamically changing the damping characteristics of the mount through direct utilization of the negative pressure available from the air-intake side of the internal combustion engine, without the conventionally required switch valve. (See para. 0011 of the specification). In this respect, the invention of claim 1 incorporates additional vibration damping functionality beyond that disclosed in Kato. For at least these reasons, the applicant respectfully requests that independent claim 1 and claim 2 be allowed without modification.

*Claim Rejections – 35 U.S.C. § 103*

Claim 3 is rejected under 35 U.S.C. 103(a) for obviousness over Kato in view of Ide. The applicant requests that claim 3 be allowed without modification because it depends from independent claim 1, which, as noted above, differs substantially from Kato.

*New Claims*

New claim 8 is added to clearly cover a negative pressure conduit without a switch valve, and new claim 9 is added to clearly cover a negative pressure conduit directly connected to the air intake port side at one end and the orifice control member at the other end. These claims are added to more clearly define the present invention as distinguished from Kato and other art similar to Kato.

In view of the foregoing, applicants believe all rejections to the independent claims have been overcome thereby placing all independent and dependent claims now pending in this application in condition for allowance. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at the number provided below.

Respectfully submitted,

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